

# **Staff Report and Analysis of the City of Ridgecrest's Request for a Second Time Extension of the Local Assistance Plan**

June 2, 2010

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On September 19, 2007, Compliance Order IWMA BR-07-07 (CO) was issued to the City of Ridgecrest (City). The Compliance Order required the City to fully implement its Local Assistance Plan (LAP) by January 31, 2008. On March 24, 2009 a penalty hearing was held. One outcome of the hearing, provided a Time Extension to the City of Ridgecrest to fully implement its LAP with a new due date of January 4, 2010.

On April 27, 2010, the City submitted a second Time Extension request, however the request was incomplete. Jurisdiction Compliance and Audit (JCA) and Local Assistance and Market Development (LAMD) staff worked with the City to ensure that all of the required elements of a Time Extension were submitted. On May 19, 2010, the City submitted a complete request to extend the deadline from February 28, 2010, to December 31, 2010.

JCA has prepared this independent staff report and analysis of the City's request and the City's LIP implementation efforts to date. This report includes reviews of data submitted from the City and field visits to the City.

The following is a complete summary of the City's LAP implementation efforts to date:

## *Conduct New Waste Generation/Characterization Study and Establish New Base Year (NBY)*

During the original Compliance Order, LAMD staff assisted the City with its 2006 NBY generation study. LAMD staff provided the City with the results of its research and had asked the City to complete the remainder of the research by adding specific information. The City did not complete the NBY by September 30, 2008. Following a non-compliance hearing on March 24, 2009, the City revised the LAP and indicated they would hire a consultant to complete the NBY generation study. The City submitted the NBY generation study on July 15, 2009 for LAMD staff review and California Integrated Waste Management Board (CIWMB) approval. LAMD staff recommended deduction of tonnages that the City had included as part of the NBY generation study due to the fact that the tonnages included were from years prior to the 2006 NBY. On November 17, 2009 CIWMB approved and adopted the final NBY generation study, resulting in a 35 percent (35%) diversion rate for 2006.

## *Public Outreach and Educational Program*

The City has developed several types of outreach and educational materials. However based on diversion numbers for both residential and commercial recycling programs, it does not seem that the outreach materials have been effective to date. The written outreach work plan outlined in the LAP has not been completed; this in part is due to the departure of the City's Recycling Coordinator, leaving a void recognized by the City.

The City has proposed and is implementing new outreach efforts. The City is working with LAMD staff to develop additional outreach and educational material to improve both commercial and residential diversion efforts. LAMD staff has also provided several suggestions to the City on how to improve the City's Web site and written materials.

### Maintain Existing Greenwaste Efforts

The City has been maintaining existing efforts. The City grasscycles when possible and the County is chipping and grinding wood waste at the landfill. However, there are no programs at the landfill to manage greenwaste (grass and leaves), consequently it is disposed as waste.

The City has adopted a Landscape Conservation Ordinance concerning Water Efficient Landscape Requirements to reduce the generation of greenwaste.

### Establish Mandatory Commercial On-Site Collection Of Recyclables:

The City began implementation of its mandatory commercial recycling program on October 1, 2009. The franchise hauler has been working with the approximate 840 commercial businesses to sign them up for service. As of June 1, 2010, 431 commercial businesses have contracted with the franchise hauler.

- 279 of 332 commercial businesses, which have signed up for services with the franchise hauler, have both trash and recycling service.
- 90 of 99 commercial businesses, which have signed up for services with the franchise hauler, have automated toter service. This service includes 90-gallon recycling carts.
- Of the total 840 commercial businesses 44 percent (44%) are currently provided recycling services.

The businesses that have signed up for commercial recycling service are doing as well as can be expected with a program that is in its infancy. Contamination is still observed. A majority of the businesses in Ridgecrest generate cardboard, paper products and plastics. Staff observed businesses that are overfilling their three-yard recycling bins. To resolve this the franchise hauler may need to increase the number and size of the bins, or the frequency of pick-up service. In many cases this is problematic due to the current rate structure with the franchise hauler.

Staff observed several of the hauler's trucks unload commercial sector trash at the landfill during January 11-13, 2010. There is considerable clean cardboard and recyclables in the loads. A few commercial accounts may self haul to the landfill under the guise of being residential waste to avoid landfill gate fees.

In the three month period from October 2009 through March 2010, the franchise hauler reports that 85 percent (85%) of all recyclables collected from commercial recycling bins and processed at the MRF are diverted. This equates to approximately 7 percent (7%) diversion rate of total commercial generation for the same time period.

The City reports continued monitoring of commercial collection via hauler reports and meetings with the hauler's operations representative. These efforts along with continued focus on signing businesses up for service could further impact the overall commercial diversion efforts.

### Multifamily Program:

The franchise hauler has placed recycling bins at most multi-family complexes. Staff confirmed recycling efforts at most multi-family complexes. In one instance, staff also observed a bin that was locked and when staff asked a resident why the bin was locked, the resident responded that the residents put everything in the trash bin.

Staff's overall assessment of the multi-family effort, considering the program is in its infancy, is that the program is having a limited, but positive impact. Additional education and outreach efforts by the city and franchise hauler are being considered to improve diversion.

#### *Establish Mandatory Curbside Residential Recycling Program:*

The City continues to report strong opposition to mandatory collection and recycling from some members of the community, which continues to have a major impact on the curbside program. As a result, the City is revising its stance on mandatory collection.

The City's mandatory residential recycling program began November 1, 2009. During staff's January 12, 2010 site visit a visual inspection of the day's residential pick up route was conducted. During the inspection, staff observed several instances in which residents had turned their recycling carts upside down in protest. Staff observed a set out rate of approximately 80%. Residents participating in the recycling program are putting their recyclables in the recycling carts. JCA staff did not observe any intentional contamination of the recycling carts.

In the two month period from November 2009 through March 2010, the franchise hauler reports that approximately 90 percent (90%) of recyclables collected from curbside residential recycling carts and processed at the MRF are diverted. This equates to approximately 14 percent (14%) diversion rate of total residential generation for this time period. This low diversion, in part, could be due to the program infancy and the noted resistance from some members of the community.

For those residents that currently self-haul, the City's mini recycling drop-off center, in addition to two private recycling businesses, are available to take a variety of materials. For those that go directly to the landfill there currently is no recycling.

Through the Time Extension the City has requested a modification of this program. The City will maintain existing curbside recycling service, enhance public education and outreach to increase diversion, develop a voluntary residential self-haul program for those who chose not to participate in curbside recycling service. The City will monitor and evaluate the effectiveness of the voluntary residential curbside and the landfill drop-off recycling programs by March 31, 2011. If the City deems that the voluntary residential curbside recycling program is not effective in increasing diversion, the City, upon agreement with CalRecycle, will make changes to the program that may include returning to a mandatory residential recycling program.

#### *Materials Recovery Facility Feasibility Study*

The City hired a contractor, Shaw Environmental, Inc. to conduct a Materials Recovery Facility Feasibility Study. The contractor studied the feasibility of building a MRF, or a transfer (trans-load) facility in the City. Meanwhile, diverted materials are hauled to the Tehachapi MRF. The study included cost analysis for each of the options, and concluded that building a MRF within the City was not economically feasible. The study also concluded that hauling the materials to the Tehachapi MRF is the least expensive method at this time.

#### *Community Clean-Up Events*

The City continues to conduct community clean-up events on a quarterly basis at multiple points within the City. Residents are encouraged to bring their materials to these events. The City reports this program is successful due to increasing participation and collection. The June 2009 event focused on diversion of tires, metals and white goods. The hauler placed roll-off bins to collect these items during the clean-up event and transported them to the landfill for diversion. The City reported that the February 2010 clean-up event consisted mostly of trash and did not have any recycling reported.

Upon completion of the events, the hauler is providing reports to the City with tons collected and tons diverted. From the June 2009 event, the hauler estimates a diversion of 500 pounds and for February no diversion was achieved. The hauler also reports that between the June 2009 and February 2010 events an estimated 41,000 pounds (20.5 tons) was disposed.

Through the Time Extension the City is modifying this program to include placement of recycling bins at each of the clean-up event locations to collect recyclables. The franchise hauler will be providing disposal and diversion tonnage reports to the City for evaluating program effectiveness.

#### *On Campus Recycling At Educational Institutions*

The City has a cooperative partnership with the local school district and community college to implement waste diversion programs. The schools have been provided with recycling presentations and educational materials promoting recycling to both staff and students. The City is working with the School District Administration to develop an ongoing program of awareness and participation.

Although there is a cooperative agreement between the City and the School District Administration, it seems there is still resistance to place recycling bins at City schools. JCA staff observed bins full of cardboard, but upon closer examination it was discovered that the bins were not recycling bins but rather trash bins.

Through the Time Extension request the City states that they are aware of the issue. The City has committed to schedule a meeting between the Superintendent of Schools and the Mayor to focus on development and implementation of diversion programs at the schools within the City to further impact the overall diversion efforts.

#### *City Government Recycling:*

The City has placed recycling bins and in-office mini bins to facilitate collection of recyclables at City Hall, Civic Center, and City off-site facilities. The City has also contracted with Shred-It to facilitate the recycling of more confidential paper and plastics. The City is also reporting usage of their own C&D material for road base and other projects as needed.

#### *Expand the City's "Green" Procurement Policies*

The City passed Administrative Policy 2010-2 Recycled Products Purchasing and Procurement Policy on January 13, 2010. Staff has obtained a copy of the policy.

#### *Report Quarterly and Annually:*

The City has been submitting all quarterly reports as well as the Annual Reports required under the LAP.

JCA staff has reviewed the City's on-site Compliance Order binders and all contents and has determined them to include the required documents.

#### *Establishment of a Mini Recycling Center And Drop-Off Facility At The City's Corporate Yard*

The City has established a Mini Recycling Center and Drop-off Facility at the City's Corporate Yard. The facility has a banner and information as to what items can be recycled and in which bins to place the recyclables. The site consists of a drive through area with two three-yard bins for cardboard and

newspaper. Also on site there are two trailers for cans, plastics and glass materials. During staff's January 12-13, 2010 site visit, residents were observed driving by and dropping off material. Both 3-yard bins were full of cardboard during the visit.

The trailers with glass, cans and plastics are unloaded at the Desert Area Resources and Training (DART), a facility that operates a thrift store and trains people with disabilities. The recyclables are redeemed for CRV values and sold to recycling centers in order to generate funds for DART. The amounts are not significant based on reports received from the City through DART for the time period between September 22, 2009-March 3, 2010. Cardboard is transported by the City's franchise hauler to the Tehachapi MRF. This program is being reported as a success by the City and is continuing.

#### *Establish On-Site Newspaper Collection.*

The City has placed collection bins at the two largest newspaper generators within the City in order to maximize diversion of newspaper from the waste stream. Staff visited the larger of the two newsprint generators (Ridgecrest Independent); however staff was not able to evaluate the impacts of this program due to a lack of access. However, staff confirmed with the hauler that newsprint was being collected from this business. Staff did not visit the smaller of the two generators.

#### *Develop and Expand Recycling Programs At Ridgecrest/Inyokern Landfill*

The City's staff has been coordinating with LAMD regarding this effort. The City reports continued negotiations with the County to develop and expand the recycling/diversion opportunities at the landfill. The Time Extension will provide the necessary time to fully develop this program to increase the total diversion of materials not only for the City of Ridgecrest, but from the entire region.

Attached is a photo report from JCA staff's January 11-13, 2010 site visit. This report supports the staff's observations as to LAP program implementation that the City committed to as part of its Compliance Order.

#### **Staff Conclusion and Recommendation**

The City has to varying degrees been implementing its LAP programs. However, due to local controversy about mandatory service, lack of staff, and the nature of the LAP programs, the City is requesting additional time to fully develop and implement the programs that will maximize participation and diversion.

The City is making a significant change to the residential program, by proposing a voluntary residential recycling program with an evaluation period to assess the program's effectiveness. If the program is not effective; the City will consider other options which include reverting back to a mandatory residential recycling program.

The City has supported its request for an additional Time Extension to maximize overall diversion within the City. The City continues to report their commitment to both implementing programs and an increase in total recycling. To maximize their efforts, the City is requesting a Time Extension to avoid potential penalties.

Based on staff's analysis of available information, JCA recommends the approval of the Time Extension request. This would extend the date for full implementation of the LIP from January 4, 2010 to December 31, 2010. The approval would also extend the one-year monitoring period that will follow the LIP implementation to December 31, 2011.

This analysis was conducted by Raffy Kouyoumdjian. If you have any questions regarding the analysis or staff's recommendations, please contact Trevor O'Shaughnessy at (916) 341-6203.